

Message Text

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PAGE 01 STATE 079028
ORIGIN EB-08

INFO OCT-01 ARA-14 ISO-00 TRSE-00 CTME-00 STR-07 ITC-01
L-03 FTC-01 CIAE-00 INR-10 NSAE-00 COME-00 /045 R

DRAFTED BY EB/OT/STA:C H BLUM:CMS
APPROVED BY EB/OT/STA:T O'HERRON
ARA/MEX:E BITTNER
TREASURY:M GADBAW
CUSTOMS:I BARRACK (INFO)
-----009184 280600Z /16
R 280029Z MAR 78
FM SECSTATE WASHDC
TO AMCONSUL MONTERREY
INFO AMEMBASSY MEXICO

UNCLAS STATE 079028

E.O. 11652:N/A

TAGS:ETRD, MX, US

SUBJECT:STEEL TRIGGER PRICE MECHANISM

REF: A) MONTERREY 196, B) STATE 36612

1. THE TRIGGER PRICE MECHANISM IS EXCLUSIVELY A DEVICE TO
ENABLE THE SECRETARY OF THE TREASURY TO IDENTIFY IMPORTS OF
STEEL AT PRICES WHICH APPEAR TO BE BELOW "FAIR VALUE"
UNDER THE ANTIDUMPING ACT AND TO DETERMINE, WITHOUT THE
NEED FOR A COMPLAINT AND ON AN EXPEDITED BASIS, WHETHER
SUCH SALES ARE IN FACT BELOW FAIR VALUE. THERE ARE,
THEREFORE, NO AUTOMATIC "PENALTIES" (I.E., WITHHOLDING
OF CUSTOMS APPRAISEMENTS OR ANTIDUMPING DUTIES) UNDER THE
TPM. MOREOVER, A SALE BELOW THE TRIGGER PRICE WOULD NOT
PER SE VIOLATE THE ANTIDUMPING ACT. IF, AS IN THE CASE
DESCRIBED REF A, EXPORT PRICE IS NOT LESS THAN HOME MARKET
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PRICE (AND, ADDITIONALLY, HOME MARKET PRICES ARE SUCH AS TO
"PERMIT RECOVERY OF ALL COSTS WITHIN A REASONABLE PERIOD OF
TIME IN THE NORMAL COURSE OF TRADE"), THERE WOULD BE NO
DUMPING. THE IMPORTER AND THE EXPORTER IN A SALE BELOW
THE TRIGGER PRICE WILL BE GIVEN AN OPPORTUNITY TO ESTABLISH
THAT IT WAS AT "FAIR VALUE" AS DEFINED IN THE REGULATIONS
UNDER THE ANTIDUMPING ACT (19 CFR 153.1-153.7). VANCE

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: STEEL, PRICES, ANTIDUMPING LAW (TRADE)
Control Number: n/a
Copy: SINGLE
Draft Date: 28 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE079028
Document Source: CORE
Document Unique ID: 00
Drafter: C H BLUM:CMS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780133-1251
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780318/aaaaaorr.tel
Line Count: 62
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6b3cfebb-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 MONTERREY 196, 78 STATE 36612
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3181192
Secure: OPEN
Status: NATIVE
Subject: STEEL TRIGGER PRICE MECHANISM
TAGS: ETRD, MX, US
To: MONTERREY
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/6b3cfebb-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014